

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

: Date: October 19, 2001

Steven D. Goodman et al.

Group Art Unit: Not Assigned

Serial Number: 09/931,629

Not Assigned Examiner:

Filed: 08/16/01

: IBM CORPORATION

Flash Update a Trusted Platform Title:

Personal and Printing Systems Group

Intellectual Property Law

Module

: Department 9CCA/Building 002-2

P. O. Box 12195

Docket: RPS9 2001 0046

: Research Triangle Park, NC 27709

Corrected Fee Transmittal Letter Authorization

Assistant Commissioner for Patents Washington, D. C. 20231

Dear Sir:

In response to a Notice to File Missing Parts of Nonprovisional Application dated October 3, 2001, applicants hereby submit copies of a Fee transmittal letter which authorizes the Commissioner to charge payments to Deposit account No. 09-1990 of patent application processing fee of \$710.00 under 37 CFR 1.16. The second, authorization box may be used to charge the additional surcharge of \$130.00 assessed under 37 CFR 1.16.

Applicants however protest the assessment of the surcharge. While the amount of \$710.00 was inadvertently omitted from the text of the first authorization box, the second authorization box immediately below the first, was checked and authorized the Commissioner to "charge payments of (1) additional filing fees under 37 CFR 1.16" (see highlighted copy). Additional required fees in this case would be \$710.00 because no number was entered for the first authorization.

> **COPY OF PAPERS ORIGINALLY FILED**

Hence, the original form provided a backup authorization and should have been used to apply the \$710.00 fee to the specified Deposit Account.

In view of the above, it is believed the Notice of October 3, 2001 was improperly sent and withdrawal thereof is respectfully requested. If a withdrawal is denied, please proceed to apply fees based on the new transmittal form applying \$710.00 under the first authorization and the surcharge of \$130.00 under the second authorization as a surcharge under 37 CFR 1.16.

Respectfully submitted,

By: George Grosser

Registration No. 25,629

Telephone No.: (919) 254-4753

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelop addressed to:

ASSISTANT COMMISSIONER for PATENTS

WASHINGTON, D. C. 20231

October 19, 2001

Date of Deposit

Ira Richardson

Print Name

Signature

ASSISTANT COMMISSIONER FOR PATENTS Washington, D. C. 20231

DOCKET NUMBER: <u>RPS9 2001 0046</u>
Date: <u>October 19</u>, 2001

Sir:

Transmitted herewith for filing is the Patent Application of:

Inventor(s): Steven Dale Goodman et al.

For: Flash Update Using a Trusted Platform Module

XX 3 Sheets of Drawing(s) are enclosed.

XX 16 Pages of Specification are enclosed.

The filing fee has been calculated for other than a Small Entity:

FOR:	NO. FILED	NO. EXTRA	RATE:	FEE:
BASIC FEE				\$710.00
TOTAL CLAIMS	10 - 20 =		x \$18.00	\$
INDEP.CLAIMS	3 - 3=		x \$80.00	
MULTIPLE DEPENDENT CLAIM + \$270.0 PRESENTED			+ \$270.00	\$
TOTAL FILING FEE >>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>				\$710.00

XX	Charge my Deposit Account No. <u>09-1990</u> in the amount <u>of \$ 710.00</u>

XX ___The Commissioner is hereby authorized to charge payments of (1) any additional filing fees or filing surcharges applicable under 37 CFR 1.16, and/or (2) any patent application processing fees under 37 CFR 1.17 associated with this application or credit any overpayment to Deposit Account No. _09-1990_.

A duplicate copy of this sheet is enclosed.

SEND CORRESPONDENCE TO:

IBM Corporation

Personal and Printing Systems Group Legal Dept.

Dept. 9CCA/Bldg. 002-2

P.O. Box 12195

Research Triangle Park, NC 27709

Respectfully submitted,

George H. Grosser

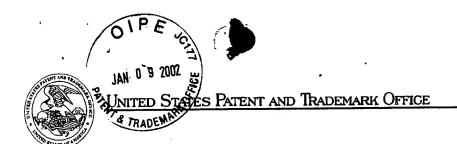
Registration No. 25,629

Phone: 919-254-4753

ASSIGNEE:

International Business Machines Corporation Armonk, New York 10504

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COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE Washington, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/931,629

08/16/2001

Steven Dale Goodman

RPS9 2001 0046

CC NFIRMATION NO. 2708

Date Mailed: 10/03/2001

FORMALITIES LETTER

OC000000006835557

IBM Corporation Personal and Printing Systems Group Dept. 9CCA/Bldg. 002-2 P.O. Box 12195 Research Triangle Park, NC 27709

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

A copy of this notice MUST be returned with the reply.

Customer Service Center Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESP

09931629 01/14/2002 AGOITOM 00000298 091990

01 FC:101 02 FC:105

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RESEARCH TRIANGLE PARK NC 27709-9509

lalalladladladaldaddaddaddadda

PLEASE ACKNOWLEDGE AND RETURN

CERTIFICATE OF EXPRESS MAIL NO. EL 326 715 881 US			
CERTIFICATE OF EXPRESS MAIL NO.			
DATE MAILED August 16, 2001 DATE DUE:			
XX APPLICATION AMEND. & TRANS. FORM XX DECLARATION XX IDS & FORM PTO 1449 XX ASSIG MENT & PTO 1559 PET. FOR EXT. OF TIME XX DRAWINGS 3 sheets of formal issue FEE MISSING PARTS drawings CERT. OF MAILING OTHER			
OTHER			
DOCKET: RPS9 2001 0046 SER. NO			
IN RE APPLICATION OF: Steven D. Goodman et al.			
IN RE APPLICATION OF Twested Platform			
TITLE OF APPLICATION: Flash Update Using a Trusted Flatform			
TITLE OF APPLICATION: Flash Update Using a Trusted Platform Module PGS. OF SPEC: 16 NO. OF CLAIMS 10 SHTS OF DWGS: 3			
TOTAL CHARGES: \$750.00 DEPOSIT ACCT. NO. 09-1990 ATTORNEY: George E. Grosser/ir			

PLEASE ACKNOWLEDGE AND RETURN CERTIFICATE OF EXPRESS MAIL NO. EL 326 715 881 US DATE MAILED_August 16, 2001 DATE DUE:_ AMEND. & TRANS. FORM APPLICATION XX IDS & FORM PTO 1449 _DECLARATION ASSIG MENT & PTO 1559
DRAWINGS 3 sheets of formal PET. FOR EXT. OF TIME ISSUE FEE MISSING PARTS drawings CERT. OF MAILING OTHER_ DOCKET: RPS9 2001 0046 SER. NO. INTL. APPLN. NO. INTL. FILING DATE:_ IN RE APPLICATION OF: Steven D. Goodman et al. TITLE OF APPLICATION: Flash Update Using a Trusted Platform

NO. OF CLAIMS 10 SHTS OF DWGS: PGS. OF SPEC: 16 TOTAL CHARGES: \$750.00 DEPOSIT AGET: NO. 19-1

Module

ATTORNEY: George E. Grosser/ir